

CARBOHYDRATE/CADROIT CONTACT REPORT

17 June 1955

Date, Time, and Place of Meeting: 16 June 1955, 1900-2100, CARBOHYDRATE's Apt.

Present: a. CARBOHYDRATE b. ☐ ☐

1. After the usual amenities, CARBOHYDRATE delivered the following written material:

a. Photocopy of the letter sent 1/6/55 by CADROIT to the BNAV re Alfred ~~HEICHEL~~ HEICHEL. The two CADROIT staffers who had worked on the case before CARBOHYDRATE was drawn into it were Dr. Maurer and Hansen; these two had prepared the original letter to the BNAV. Letter noted HEICHEL claimed to be in contact with an allied IS but did not identify the office. CADROIT ~~staff~~ disclaimed any knowledge of the allied connection, but noted it had info that two visitors from the DDR had given derogatory info about HEICHEL; he had supposedly been a 100% communist. This letter had ~~not~~ unfortunately already been sent in the usual manner before CARBO had been informed of the special interest in the case. CARBO had thereupon drafted a second letter for Maurer's signature which is intended to wipe out the effect of the first letter. The second letter noted that new information had been secured since the first had been sent which indicated that HEICHEL had not been as complete a communist ~~as~~ as he had at first appeared, and that even this appearance was very probably due to the need to cover his secret work "in the interest of the common defence of the West." ~~He is a very clever man and has been able to keep his secret work hidden from the DDR and the BNAV.~~

b. Trace on Werner WEUNEISTER as earlier requested. W. visited CADROIT on 9/11/53 to inquire whether or not it would be dangerous for him to visit the DDR in light of the fact that he had left without an Abmeldung as required by law. Had been advised that such a visit could be dangerous. For ☐ ☐

c. Letter written by CARCARANA in the Torgau jail to Simoni, in which he states he has received a letter from CARCARANA 2 in Frankfurt. CARCARANA 2 combines pleas that CARCARANA agree to her taking the son to the U.S. with threats that if he does NOT so agree, she will be forced to put the son in an orphan asylum, since CARCARANA's mother is in no position to care for the boy. CARCARANA states that he has been estranged by his wife's attitude and does not wish to answer her letter. He instructs Simoni not to consider the interests of CARCARANA 2 in any way in the future. Copy of letter attached.

2. CARBO reported orally:

a. R. Kaiser and his ~~prosecution~~ prosecution for the crime of Beamtenechtigung: this crime cannot be quashed, since it is an "Offizielles Delikt" rather than an "Antragsdelikt". The bureaucratic machinery goes into motion in connection with a crime of the latter type only when the person or official injured files a complaint (Anzeige)- in many cases such an action can be quashed by convincing the Antragssteller that he should forget about the whole thing. No one can quash ~~an~~ an action involving an Offizielles Delikt, however, once it has come to the

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attention of the Staatsanwaltschaft, which is the case here. The official in the Sozialamt who has suffered the duress cannot quash the action himself; he has little effect upon the action once it has started. (An exception to this general rule of nonquashability of Offizielle Delikte is ~~the~~ where the proof appears to be trivial to even take to trial; this is not the case here, however.) The penalty for the crime can run from 3 mos. to 2 years, plus possible fines.

Although the process cannot be quashed, there are a number of defenses which can be used: Although Kaiser cannot hedge as to what he actually said, since he wrote it into a letter which he sent to the Sozialamt, it may be possible to argue that there was no threat involved—he merely noted in his letter the only ~~way~~ way that would be open to him to provide for his family if his request to the Sozialamt that his pension be accelerated were denied. It could also be argued that Kaiser acted ~~under~~ under the stress of the debts, did not really mean what he had written, etc. This defense could be given substance by showing that Kaiser apologized to the Sozialamt official after sending the letter (he did this at CARBOHYDRATE's suggestion at the time, as earlier reported.)

Discussion within this framework showed the following to be possibly the best course of action to take: Kaiser would appoint a West Berlin lawyer to represent him in court. This lawyer to get the matter postponed until Kaiser can appear personally (if this is really required). The use of the W. Berlin lawyer would ~~minimize~~ minimize the extent to which Kaiser would have to take actual part in the proceedings. CARBO suggested that a non-CADROIT lawyer who is a friend of CARBO be used; CARBO could then speak rather frankly with him and follow/control the case to some extent without bring the CADROIT name into the affair very much. CARBO suggested the following lawyer who is, CARBO states, "100% reliable and discreet": Dr. Alfons YERSIN, Uhlandstr. 180.

CARBO tried to contact Kaiser's wife, but she could not be reached in the short time since Pepin first alerted CARBO to the trial.

b. Re an earlier request for the number of the Ausweis which had been furnished MA 100, no record of the number of this Ausweis had been kept within CADROIT, but the only other ~~known~~ Ausweis issued had been to MA Alperman, one of Ohlbricht's MA. This would allow the number of MA's Ausweis to be determined by a process of elimination, since Alperman's Ausweis number is known. It is XV 0134447.

c. In connection with the CARCARANA 2 case, the latter has written a letter to her mother-in-law in W. Berlin pleading with ~~her~~ her to refuse to accept the responsibility for caring for CARCARANA 2's child. If the mother-in-law does not refuse such responsibility, CARCARANA 2 threatens to "inform the papers of the situation". For HARVARD, which is handling the case.

d. Also in connection with this case, the Frankfurt court has approved a Beweisbeschluss or statement of issues concerning the alleged ehewidrige Beziehungen. This Beweisbeschluss will be sent to the BER court having jurisdiction over Torgau so that CARCARANA can be interrogated. The whole case file, however, will not be transmitted. Also for HARVARD.

NEIT MEETING: 23 June 1955